

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
SEPTEMBER 8, 2014
COUNCIL CONVENED AT 6:22 P.M.**

1. The invocation was given by Kenneth Hendley, Free Will Baptist Church and the Pledge of Allegiance was led by City Council Page Beatriz Medrano.
2. Roll Call:
Mayor Lawrence Morrissey
Aldermen: Durkee, McNamara, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -11-
Absent: Getchius (late), Frost (late), McNeely (late) -3-
3. Alderman Beach moved to accept the Journal of Proceedings of September 2, 2014 seconded by Alderman Hervey. MOTION PREVAILED (Ald. Getchius, Frost, McNeely absent).

PUBLIC PARTICIPATION

4. Roland Poska urged everyone to do the impossible, end prejudice and violence, expand thinking and the money supply, achieve respect for all and end war in 63 years.
5. Adolph Wacker voiced his frustration that Whiskey's Roadhouse continues to be a nuisance to the neighborhood.

Alderman McNeely joined the meeting at 6:28 pm

6. Rev. Derrick Shelby thanked Chief Epperson for treating all residents equal.
7. John Brantley invited the community and council members to attend a Non-Violence meeting tomorrow at 10:00 am at Fairgrounds.

Alderman Getchius joined the meeting at 6:36 pm

8. Toby Haldeman reported the City has announced locations for geo policing stations, with the Turner School building being the site for District 2.

Alderman Frost joined the meeting at 6:39 pm

PETITIONS AND COMMUNICATIONS

9. Alderman Durkee submitted a Memorandum from Jennifer Jaeger, Human Services Community Services Director, regarding an Approval of 2015 Community Services Block Grant Program Work Plan as required by the Illinois Department of Commerce and Economic Opportunity. Referred to Planning and Development Committee.

10. Alderman Durkee submitted a Memorandum from Seth Sommer regarding the Proposed Residential Properties for Demolition- Round #3. Referred to Planning and Development Committee.
11. Alderman McNeely announced the Black Healthcare Initiative Coalition will be hosting the Silver Chalice Challenge Health Fair on September 20, 2014 from 8:00 am – 1:00 pm at Ellis Arts Academy, 222 South Central Avenue. Free health screenings, exercise classes, health information classes and food will be provided.

PROCLAMATIONS

12. Mayor Morrissey presented a Proclamation proclaiming September 21, 2014 to be "CITY OF ROCKFORD DAY OF PEACE" in Rockford, Illinois and called upon all citizens to work together for peace and a healthy community.
13. Mayor Morrissey presented a Proclamation proclaiming September 15, 2014 through October 15, 2014 to be "HISPANIC HERITAGE MONTH" in Rockford, Illinois and urged all citizens to join in acknowledging the presence and unique contributions of the Hispanic Heritage to our community.
14. Mayor Morrissey presented a Proclamation proclaiming the week of September 7 – September 13, 2014 to be "YELLOW RIBBON YOUTH SUICIDE AWARENESS AND PREVENTION WEEK" in Rockford, Illinois and urged all citizens to wear a yellow ribbon and to raise awareness and help prevent youth suicide.

NEW COMMITTEE REPORTS

15. Alderman Chiarelli read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Special Use Permit for a title loan business in a C-3, General Commercial Zoning District at 2542 South Alpine Road. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. No north wall sign
 3. Hours of operation limited to Monday through Friday 9:00 am – 7:00 pm and Saturday 10:00 am – 4:00 pm.

Approval is based on the Findings of Fact. LAID OVER.

16. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council approve for signature the Memorandum of Understanding with State of IL (South Main Street Two-Way Conversion). Funding for the project will come from Sales Tax. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

2014-231CR

17. Alderman Beck read a Finance and Personnel Committee Report recommending that the City Council approve the agreement between the Rockford Housing Authority and the City of Rockford Human Services Dept. to lease the building commonly known as 653

Ranger St. for the purpose of operating the Head Start Program. The Legal Director shall prepare the appropriate ordinance.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. McNeely voted no). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-
Nays: McNeely -1-
Absent: -0-

18. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of September 8, 2014 in the amount of \$2,464,401.54. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

OFFICERS REPORTS

19. Mayor Morrissey mentioned a Memorandum from Chris Black, Finance Director, has been distributed to council members announcing a tentative budget schedule. Meetings are scheduled for two consecutive Saturdays, September 27th and October 4th, typically from 9:00 am to 12:00 pm (noon). The proposed budget books will be distributed to council members on Monday, September 22nd.
20. Mayor Morrissey reported Dennis Olson is resigning from the Zoning Board of Appeals & Liquor/Tobacco Advisory Board and he thanked Dennis for his service. He mentioned there are currently a couple of vacancies on those boards and he asked council members to refer anyone interested in filling the vacancies to provide a resume and background information to his office.
21. Mayor Morrissey mentioned tonight after council there will be birthday treats in celebration of several birthdays, Aldermen Hervey, Chiarelli and himself.
22. Alderman McNamara congratulated the organizers of the Screw City Beer Festival on a very success event this past weekend.
23. Alderman McNamara congratulated Anne O'Keefe, Executive Director of the Rockford Area Arts Counsel, for being one of only twenty directors in the country selected to participate at the American For Arts Executive Leadership Forum.
24. Alderman McNamara mentioned this Saturday the Signal Hill Neighborhood Association will be holding a press conference at the corner of North Avenue and Reynolds Street to announce thirteen (13) little free libraries that will be going in throughout the city.

25. Alderman McNamara again requested staff provide council members with a monthly or bi-weekly report on the status of projects and economic activities throughout the City.

Mayor Morrissey commented that changing the committee meeting structure would provide an avenue for all council members to be a part of weekly discussions about current and proposed projects and asked for suggestions on creating a report format.

26. Alderman Thompson-Kelly asked Mayor Morrissey where an individual interested in applying for one of the vacancies on the Zoning Board of Appeals & Liquor/Tobacco Advisory Board should send their resume.

Mayor Morrissey advised the resumes can be sent to the Mayor's Office and he will forward them on to Director Cagnoni. All applications will be reviewed by himself and Director Cagnoni.

27. Alderman Thompson-Kelly requested a list of vacancies, if any, on all twenty-one commissions and boards.

- 27a. Mayor Morrissey noted he would have staff prepare a memorandum with all the vacancies on the commissions and boards next week.

28. Alderman Thompson-Kelly requested a copy of the 2015 Community Services Block Grant Program Work Plan.

29. Alderman Hervey mentioned attending the West State Street Corridor Revitalization ribbon cutting ceremony last Thursday and thanked community members for their patience. The plan for the project was issued in 2002 and today, both Phase I & II of the design stage is complete.

30. Alderman Hervey mentioned she was approached by a downtown business owner who is frustrated that scaffolding still remains around the Trek Building and believes it is impeding his business. She asked for an update on the status of that building.

31. Alderman Hervey also mentioned a joint birthday celebration after council tonight with pizza and cupcakes.

32. Alderman Newburg announced tomorrow, September 9, 2014 at 6:00 pm will be the Northwest United Neighborhood meeting at Good Shepard Lutheran Church on North Rockton. Paul Callaghan, ComEd, will be attending the meeting to answer any questions and/or concerns.

33. Alderman Newburg urged all residents to support youth suicide awareness week.

UNFINISHED BUSINESS

2014-232CR

34. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending that the City Council approve reducing the outstanding code hearing

finances and penalties for 1915 Ridgeland Rd. in Rockford, IL to \$1,000.00 upon compliance with the original order to repair by January 1, 2015. Any outstanding water, clean-up and mow liens must be paid. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2014-233CR

35. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance authorizing the Mayor and Legal Director to execute the agreements and documents necessary to purchase 557 South New Towne Drive for \$1,100,000.00 on the terms and conditions described in the Agreement for Purchase and Sale dated May 4, 2014 and the addendum thereto dated August 7, 2014. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Beach, Elyea, Beck, Chiarelli -11-
Nays: Oddo, Newburg, McNeely -3-
Absent: -0-

2014-234CR

36. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Zoning Map Amendment from R-1, Single-Family Residential and C-3, General Commercial District to C-2, Limited Commercial District and APPROVE a Special Use Permit for a Planned Unit Development consisting of a grocery store and off-premise monument sign on adjacent parcel in a C-2, Limited Commercial District at 1701, 1719 West State Street, 117, 121, 123 North Independence Avenue, 120, 124, 128 North Central Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a dumpster detail and rendering for Staff's review and approval.
4. Must develop site in accordance with Exhibit E, the site and landscaping plan approved by Staff.
5. Must develop building elevations in accordance with Exhibits E.
6. Must obtain separate permits for signage and sign must be constructed with the submitted sign elevations and accordance with the Sign Ordinance.
7. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-

Nays: McNeely -1-
Absent: -0-

2014-235CR

37. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council to (A) APPROVE the Special Use Permit for a drive-through in conjunction with a donut shop (fast food restaurant); (B) APPROVE a Variation to reduce the required parking from 101 parking spaces to 79 spaces; (C) APPROVE of a Variation to reduce the required 20 feet front yard setback for a parking lot to 15 feet along East State Street; (D) APPROVE a Variation to reduce the required 20 feet wide frontage landscaping to 15 feet wide along East State Street; (E) DENY a Variation to reduce the required 20 feet front yard setback for a parking lot to 5.3 feet along Sundae Drive; APPROVE a Variation to reduce the required 20 feet front yard setback for a parking lot to 11.3 feet along Sundae Drive; (F) DENY a Variation to the required 20 feet wide frontage landscaping to 5.3 feet wide along Sundae Drive; APPROVE a Variation to the required 20 feet wide frontage landscaping to 11.3 feet wide along Sundae Drive in a C-2, Limited Commercial Zoning District at 7340 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a revised civil plan to include 80 parking spaces and the reduced width of the parking lot (drive-through lane) along Sundae Drive to 12 feet.
4. Submittal of a revised landscape plan to include removal of landscaping within the right-of-way, additional landscaping added to the perimeter landscaping along East State Street and Sundae Drive, landscaping added to the proposed interior island south of the building and east of the drive-through, and plant species for Staff's review and approval.
5. Submittal of drainage calculations shall be submitted to determine if the existing detention pond has the adequate storm water storage or if additional storm water storage will be required for review and approval by the City Engineer.
6. Submittal of a dumpster detail and rendering for Staff's review and approval.
7. Submittal of a photometric plan with fixture details and fixture specifications for Staff's review and approval.
8. Submittal of building elevations for Staff review and approval.
9. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with plans approved by Staff.
10. Must develop site in accordance with new civil and landscaping plans approved by Staff.
11. Must develop building in accordance with elevations approved by Staff.
12. All conditions must be met prior to establishment of use.

Approval/Denial is based on the attached Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2014-236CR

38. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for a pay day loan store and pawn shop in a C-2, Limited Commercial Zoning District at 6909 East State Street.

Denial is based on the attached Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -13-
Nays: Thompson-Kelly -1-
Absent: -0-

39. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation in required landscaping per the submitted site plan; and APPROVE a Variation in the required parking spaces per the submitted site plan in a C-3, General Commercial Zoning District at 2019 and 2021 South Main Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of a dumpster detail and rendering for Staff's review and approval.
3. Must develop site in accordance with site and landscaping plans Exhibit D and Exhibit E as approved by Staff.
4. Must obtain separate permits for signage and sign must be in accordance with the Sign Ordinance.
5. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Hervey made a motion to lay the committee report over, seconded by Alderman McNeely. The Committee Report was LAID OVER.

2014-237CR

40. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Zoning Map Amendment from County AG to R-1, Single-family Residential Zoning District; APPROVE the Special Use Permit for a church; and APPROVE a Variation to waive the required landscaping; and a Variation to waive the required parking standards in an R-1, Single-family Residential Zoning District at 3844 Sandy Hollow Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Submittal of a building permit for Staff review and approval establishing the church.
3. A landscaping plan shall be submitted and shall be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff for any parking lot reconstruction.
4. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for Staff's review and approval.
5. Must obtain separate permits for signage and signage must be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff.

Approval is based on the attached Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
 Nays: -0-
 Absent: -0-

2014-238CR

41. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit to construct a 120' high cell tower in a C-2, Limited Commercial District at 3816 Broadway. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. The fencing material must be vinyl.
3. No more parking spaces may be eliminated and the lease area will be restricted to the area shown on the site plan.

Approval is based on the Findings of Facts. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hill, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -12-
 Nays: Hervey, Beach -2-
 Absent: -0-

2014-239CR

42. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a 130' monopole cellular tower in a C-3, General Commercial Zoning District at 3017 Wallin Avenue.

1. Approval is subject to the following conditions:
2. Must meet all applicable building and fire codes.

3. Submittal of a revised site plan showing tower 30' setback from the front property line.

Approval is based on the Findings of Facts. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, Frost, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -11-
Nays: McNamara, Hervey, Hill -3-
Absent: -0-

2014-240CR

43. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a 150' monopole cellular tower in an I-1, Light Industrial Zoning District at 1507 Kishwaukee. Approval is subject to the following conditions:

1. Submittal of a revised site plan to include a 100' setback from the right-of-way along the south alley, fencing to be changed from chain link to vinyl and for the landscaping to be incorporated along both alleys.
2. Must meet all applicable building and fire codes.
3. Must submit documentation of approval through FAA.

Approval is based on the Findings of Facts. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, Frost, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -11-
Nays: McNamara, Hervey, Hill -3-
Absent: -0-

2014-241CR

44. Alderman Chiarelli move the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Rao Ahmed for MS Gasoline Inc. d/b/a Kishwaukee Citgo** in an I-1, Light Industrial Zoning District and I-2 General Industrial Zoning District at 2233 Kishwaukee Street and 22XX Starr Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, Frost, Hill, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -11-
Nays: McNamara, Hervey, Thompson-Kelly -3-
Absent: -0-

2014-242CR

45. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE referred the sale of package liquor with a retail drug store with

sundries in the name of **Bond Drug Company of Illinois LLC d/b/a Walgreens** in a C-2, Limited Commercial Zoning District at 3929 Mulford Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sale of alcohol between 12:00 am to 7:00 am.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -13-
Nays: Elyea -1-
Absent: -0-

2014-243CR

46. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of package liquor with a retail drug store with sundries in the name of **Bond Drug Company of Illinois LLC d/b/a Walgreens** in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single serving sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sale of alcohol between 12:00 am to 7:00 am.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -13-
Nays: Elyea -1-
Absent: -0-

2014-244CR

47. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City

Council APPROVE the sale of package liquor with a retail drug store with sundries in the name of **Bond Drug Company of Illinois LLC d/b/a Walgreens** in a C-3 General Commercial Zoning District and I-1, Light Industrial District at 2323 Charles Street. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single serving sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sale of alcohol between 12:00 am to 7:00 am.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Beck, Chiarelli -11-
Nays: Frost, Elyea, McNeely -3-
Absent: -0-

2014-245CR

48. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE a modification of existing liquor license by the drink and outdoor seating area with a restaurant to extend hours of operation to 2:00 am in the name of **Abduraman Isai and Istref Sam Sabini / Menns Inc. d/b/a Tavern on Clark** in a C-3, General Commercial Zoning District at 755 Clark Drive. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes and liquor codes.
2. The hours are limited to Sunday through Saturday 7:00 AM to 2:00 AM
3. Window display signage shall be limited to 35% of the window surface area.
4. There shall not be a cover charge, dance floor, or DJ's.
5. Live entertainment shall be limited to a single performer playing a single instrument.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -13-
Nays: Beach -1-
Absent: -0-

2014-246CR

49. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City

Council APPROVE the sale of tobacco products with a grocery store in the name of **Samir R. Rathod / Veer Mahi Inc. d/b/a 320 Grocery** in a C-3, General Commercial Zoning District at 320 North Court Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. Hours are limited to Monday-Saturday 8:00 AM to 8:00 PM, Sunday 9:00 AM to 7:00 PM.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the windows shall not be covered with bars or other devices that block the windows.
5. A dumpster enclosure must be constructed and the fenced must be repaired on the north side.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Beck, Chiarelli -12-
Nays: Elyea, McNeely -2-
Absent: -0-

2014-247CR

50. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco products in conjunction with a gas station in the name of **Junaid Ahmed for JR Gasoline, Inc. d/b/a Kilburn Shell** in a C-3, Commercial General Zoning District at 913 Kilburn Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
4. Submittal of a civil plan to include improvements to the parking lot and 12 parking spaces.
5. Submittal of a revised landscape plan to include perimeter landscaping along Kilburn Avenue and Whitman Street, interior islands, open green space, removal of the raised timber planter that is replaced with a new concrete curbed island around the existing perimeter landscaping at the southwest corner of the property, and plant species for Staff review and approval.
6. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for staff's review and approval.

7. The hours of operation and days will be 5:00 A.M. to Midnight Monday through Sunday.
8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the window.
10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
11. Window display signage is limited to 35% of window area.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
 Nays: -0-
 Absent: -0-

51. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of package liquor with a gas station in the name of **Robbin Madhok for Magnum Oil 1 Inc. d/b/a Alpine Marathon** in a C-3, General Commercial Zoning District and R-4, Multi-family Residential Zoning District at 3299 South Alpine Road.

Alderman Chiarelli HELD OUT the Committee Report.

2014-248CR

52. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a catering, restaurant, bar, banquet hall and hotel and APPROVE the sale of liquor by the drink in conjunction with an outdoor seating area in the name of **Cliffbreakers Riverside Resort, LLC d/b/a Cliffbreakers Riverside Resort** in a C-3, General Commercial Zoning District at 700 West Riverside Boulevard. Approval is subject to the following conditions:

1. Must meet all applicable liquor codes.
2. Must meet all applicable building and fire codes.
3. The proposed use shall not operate as a night club.
4. The proposed use shall not have a cover charge.
5. The sale of alcohol shall be limited to the submitted plans.
6. The hours of operation shall be in accordance with the liquor code.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
 Nays: -0-

Absent: -0-

2014-140-O

53. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 291 of the Code of Ordinances of the City of Rockford to add the following:

"All traffic be required to stop prior to entering the intersection of 7th Street and 5th Avenue".

"All traffic be required to stop prior to entering the intersection of 7th Street and 2nd Avenue".

"All traffic be required to stop prior to entering the intersection of 7th Street and 4th Avenue".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

2014-141-O

54. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 285 of the Code of Ordinances of the City of Rockford to repeal the following:

"The Two (2) Hour Parking Restriction on both sides of 21st Street from 8th Avenue to 9th Avenue, thus re-establishing unrestricted parking".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

2014-142-O

55. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280 of the Code of Ordinances of the City of Rockford to add the following:

"No Parking Anytime Restriction on the east side of Clifton Avenue from Pond Street to South Main Street".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

2014-143-O

56. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 286 of the Code of Ordinances of the City of Rockford to add the following:

"Restricting parking to Three (3) Hour Parking on both sides of North 5th Street from State Street to Jefferson Street, thus repealing the existing Two (2) Hour Parking Restriction".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly,
Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2014-144-O

57. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 286 of the Code of Ordinances of the City of Rockford to add the following:

"All time limit Parking Restriction in Municipal Parking Lot 26 near 8th Street and 13th Avenue, thus establishing unrestricted parking".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Thompson-Kelly,
Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

MOTIONS AND RESOLUTIONS

Alderman Thompson-Kelly exited the meeting at 8:11 pm.

2014-236R

58. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for City-Wide Sidewalk and ADA Package #10 with the lowest qualified bidder, Campos Construction, of Rockford, Illinois for their bid of \$48,247.00. The funding source is Sales Tax.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg,
Beach, Elyea, Beck, McNeely, Chiarelli -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2014-237R

59. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Airport Dr. and Falcon Rd. with William Charles Construction, of Loves Park, Illinois for their bid of

\$7,688,705.86. The funding source is MFT, GRAA Funds, IDOT TARP funds, IDOT EDP funds, & EDA grant funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg,
Beach, Elyea, Beck, McNeely, Chiarelli -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2014-238R

60. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute a Sole Source Contract for Motorola Starcom Radio System Upgrade with Motorola Solutions in the amount of \$31,774.80. The funding source is 2014 Police Dept. Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg,
Beach, Elyea, Beck, McNeely, Chiarelli -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2014-239R

61. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an Engineering Agreement for construction engineering services for Keith Creek Bank Stabilization with Willett, Hofmann & Associates, Inc. in the amount of \$31,860.00. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg,
Beach, Elyea, Beck, McNeely, Chiarelli -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2014-240R

62. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for KFACT requesting a Special Event Permit and Liquor Permit for consumption of liquor outdoors on private property ("S" license) for the Rock the Runway Event to be held on Saturday, September 27, 2014 from 6:00 pm to 12:00 am (midnight) at 3839 East State Street. MOTION PREVAILED (Ald. Thompson-Kelly absent).

2014-241R

63. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Blackhawk Area Council, BSA requesting a Special Event for Aircamp to be held on Friday, October 10, 2014 from 3:00 pm and ending on October 12, 2014 at 12:00 pm (noon) at Chicago/Rockford International Airport, 6150 Cessna Drive. MOTION PREVAILED (Ald. Thompson-Kelly absent).

2014-242R

64. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Winnebago County CASA Organization requesting a Special Event Permit

for Race the Runway Event to be held on October 4, 2014 from 6:30 am to 12:00 pm (noon) at 2 Airport Circle. MOTION PREVAILED (Ald. Thompson-Kelly absent).

2014-243R

65. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution instructing the Zoning Officer to file an application for a zoning text amendment, which would amend Section 10-007-C of the Zoning Ordinance of the City of Rockford prohibiting certain negative use restrictions. MOTION PREVAILED (Ald. McNeely voted no; Ald. Thompson-Kelly absent).

NEW BUSINESS

2014-145-O

66. Alderman Beck introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the purchase of 557 South New Towne Drive in the City of Rockford, Winnebago County, Illinois, and are further authorized to execute and attest any documents required to purchase said property, for the sum of \$1,100,000 on the terms & conditions described in the Agreement for Purchase and Sale dated May 4, 2014 and the addendum thereto dated August 7, 2014, which are hereby approved and ratified.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Newburg, McNeely voted no; Ald. Thompson-Kelly absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Beach, Elyea, Beck, Chiarelli -11-
Nays: Newburg, McNeely -2-
Absent: Thompson-Kelly -1-

2014-146-O

67. Alderman Beck introduced and read an Ordinance authorizing the Agreement between the Rockford Housing Authority and the City of Rockford Human Services Department to extend the lease through August 31, 2015, for the building commonly known as 653 Ranger St. for the purpose of operating the Head Start Program.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Newburg, McNeely voted no; Ald. Thompson-Kelly absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: McNeely -1-
Absent: Thompson-Kelly -1-

68. Alderman Chiarelli introduced and read an Ordinance amending Article 62 and Article 63 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from R-1, Single-Family Residential and C-3, General Commercial District to C-2, Limited Commercial District; and Special Use Permit for a Planned Unit Development consisting of a grocery store and off-premises monument sign on adjacent parcel in a C-2, Limited Commercial

District at 1701, 1719 West State Street, 117, 121, 123 North Independence Avenue, 120, 124, 128 North Central Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a dumpster detail and rendering for Staff's review and approval.
4. Must develop site in accordance with Exhibit E, the site and landscaping plan approved by Staff.
5. Must develop building elevations in accordance with Exhibits E.
6. Must obtain separate permits for signage and sign must be constructed with the submitted sign elevations and accordance with the Sign Ordinance.
7. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact. LAID OVER.

69. Alderman Chiarelli introduced and read an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a drive-through in conjunction with a donut shop (fast food restaurant),(B) Variation to reduce the required parking from 101 parking spaces to 79 spaces; (C) Variation to reduce the required 20 feet front yard setback for a parking lot to 15 feet along East State Street; (D) Variation to reduce the required 20 feet wide frontage landscaping to 15 feet wide along East State Street; (E) Variation to reduce the required 20 feet front yard setback for a parking lot to 11.3 feet along Sundae Drive, (F) Variation to the required 20 feet wide frontage landscaping to 11.3 feet wide along Sundae Drive in a C-2, Limited Commercial Zoning District at 7340 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a revised civil plan to include 80 parking spaces and the reduced width of the parking lot (drive-through lane) along Sundae Drive to 12 feet.
4. Submittal of a revised landscape plan to include removal of landscaping within the right-of-way, additional landscaping added to the perimeter landscaping along East State Street and Sundae Drive, landscaping added to the proposed interior island south of the building and east of the drive-through, and plant species for Staff's review and approval.
5. Submittal of drainage calculations shall be submitted to determine if the existing detention pond has the adequate storm water storage or if additional storm water storage will be required for review and approval by the City Engineer.
6. Submittal of a dumpster detail and rendering for Staff's review and approval.
7. Submittal of a photometric plan with fixture details and fixture specifications for Staff's review and approval.
8. Submittal of building elevations for Staff review and approval.
9. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with plans approved by Staff.
10. Must develop site in accordance with new civil and landscaping plans approved by Staff.
11. Must develop building in accordance with elevations approved by Staff.

12. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact. LAID OVER.

Alderman Thompson-Kelly re-joined the meeting at 8:19 pm.

70. Alderman Chiarelli introduced and read an Ordinance amending Article 62 and Article 63 of the Zoning Ordinance for a (A) Zoning Map Amendment from County AG to R-1, Single-Family Residential Zoning District; and (B) Special Use Permit for a church; and (C) Variation to waive the required landscaping; and (D) Variation to waive the required parking standards in an R-1, Single-Family Residential Zoning District at 3844 Sandy Hollow Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Submittal of a building permit for Staff review and approval establishing the church.
3. A landscaping plan shall be submitted and shall be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff for any parking lot reconstruction.
4. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for Staff's review and approval.
5. Must obtain separate permits for signage and signage must be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff.

Approval is based on the attached Findings of Fact. LAID OVER.

71. Alderman Chiarelli introduced and read an Ordinance amending Article 63 of the Zoning Ordinance for a Special Use Permit to construct a 120' high cell tower in a C-2, Limited Commercial District at 3816 Broadway. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. The fencing material must be vinyl.
3. No more parking spaces may be eliminated and the lease area will be restricted to the area shown on the site plan.

Approval is based on the Findings of Fact. LAID OVER.

72. Alderman Chiarelli introduced and read an Ordinance amending Article 63 of the Zoning Ordinance for a Special Use Permit for a 130' monopole cellular tower in a C-3, General Commercial Zoning District at 3017 Wallin Avenue. Approval is subject to the following conditions:

1. Approval is subject to the following conditions:
2. Must meet all applicable building and fire codes.
3. Submittal of a revised site plan showing tower 30' setback from the front property line.

Approval is based on the Findings of Facts. LAID OVER.

73. Alderman Chiarelli introduced and read an Ordinance amending Article 63 of the Zoning Ordinance for a Special Use Permit for a 150' monopole cellular tower in an I-1, Light Industrial Zoning District at 1507 Kishwaukee Street. Approval is subject to the following conditions:

1. Submittal of a revised site plan to include a 100' setback from the right-of-way along the south alley, fencing to be changed from chain link to vinyl and for the landscaping to be incorporated along both alleys.
2. Must meet all applicable building and fire codes.
3. Must submit documentation of approval through FAA.

Approval is based on the Findings of Facts. LAID OVER.

74. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 3929 Mulford Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

LAID OVER.

75. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.

4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

LAID OVER.

76. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 2323 Charles Street. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

LAID OVER.

77. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Abduraman Isai and Istref Sam Sabini / Menns Inc. d/b/a Tavern on Clark for a modification of an existing liquor license by the drink and outdoor seating area with a restaurant to extend hours of operation to 2:00 am in a C-3, General Commercial Zoning District at 755 Clark Drive. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The hours are limited to Sunday through Saturday 7:00 AM to 2:00 AM
3. Window display signage shall be limited to 35% of the window surface area.
4. There shall not be a cover charge, dance floor, or DJ's.
5. Live entertainment shall be limited to a single performer playing a single instrument.

LAID OVER.

78. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Samir R. Rathod/Veer Mahi Inc. d/b/a 320 Grocery for the sale of tobacco products with a grocery store in a C-3, General Commercial Zoning District at 320 North Court Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. Hours are limited to Monday-Saturday 8:00 AM to 8:00 PM, Sunday 9:00 AM to 7:00 PM.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the windows shall not be covered with bars or other devices that block the windows.
5. A dumpster enclosure must be constructed and the fenced must be repaired on the north side.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited.

LAID OVER.

79. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Junaid Ahmed for JR Gasoline, Inc. d/b/a Kilburn Shell for the sale of tobacco products in conjunction with a gas station in a C-3, Commercial General Zoning District at 913 Kilburn Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
4. Submittal of a civil plan to include improvements to the parking lot and 12 parking spaces.
5. Submittal of a revised landscape plan to include perimeter landscaping along Kilburn Avenue and Whitman Street, interior islands, open green space, removal of the raised timber planter that is replaced with a new concrete curbed island around the existing perimeter landscaping at the southwest corner of the property, and plant species for Staff review and approval.
6. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for staff's review and approval.

7. The hours of operation and days will be 5:00 A.M. to Midnight Monday through Sunday.
8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
9. That the windows shall not be covered with bars or other devices that block the window.
10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
11. Window display signage is limited to 35% of window area.

LAID OVER.

80. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Cliffbreakers Riverside Resort, LLC d/b/a Cliffbreakers Riverside Resort for the sale of liquor by the drink in conjunction with a catering, restaurant, bar, banquet hall and hotel and the sale of liquor by the drink in conjunction with an outdoor seating area in a C-3, General Commercial Zoning District at 700 West Riverside Boulevard. Approval is subject to the following conditions:

1. Must meet all applicable liquor codes.
2. Must meet all applicable building and fire codes.
3. The proposed use shall not operate as a night club.
4. The proposed use shall not have a cover charge.
5. The sale of alcohol shall be limited to the submitted plans.
6. The hours of operation shall be in accordance with the liquor code.

LAID OVER.

81. Upon motion duly made and seconded, the meeting was adjourned at 8:22 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
September 15, 2014
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings

I. PUBLIC HEARING – CLOSEOUT OF THE KEITH CREEK BUYOUT 3 GRANT

- Public Participation
- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER SEPTEMBER 8, 2014

A. FINANCE AND PERSONNEL

1. Beck - Recommending the City Council approve for signature the Memorandum of Understanding with State of IL (S. Main St. Two-Way Conversion). Funding for the project will come from Sales Tax. The Legal Director shall prepare the appropriate ordinance.

B. CODE AND REGULATION

1. Chiarelli - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Special Use Permit for a title loan business in a C-3, General Commercial Zoning District at 2542 South Alpine Road. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. No north wall sign
 3. Hours of operation limited to Monday through Friday 9:00 am – 7:00 pm and Saturday 10:00 am – 4:00 pm.

Approval is based on the Findings of Fact.

2. Chiarelli - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation in required landscaping per the submitted site plan; and APPROVE a Variation in the required parking spaces per the submitted site plan in a C-3, General Commercial Zoning District at 2019 and 2021 South Main Street. Approval is subject to the following conditions:
 1. Meet all Building and Fire Codes.
 2. Submittal of a dumpster detail and rendering for Staff's review and approval.
 3. Must develop site in accordance with site and landscaping plans Exhibit D and Exhibit E as approved by Staff.
 4. Must obtain separate permits for signage and sign must be in accordance with the Sign Ordinance.
 5. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

3. Chiarelli - REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of package liquor with a gas station in the name of **Robbin Madhok for Magnum Oil 1 Inc. d/b/a Alpine Marathon** in a C-3, General Commercial Zoning District and R-4, Multi-family Residential Zoning District at 3299 South Alpine Road.

III. ORDINANCES LAID OVER SEPTEMBER 8, 2014

A. CODE AND REGAULATIONS

1. Chiarelli - Amending Article 62 and Article 63 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from R-1, Single-Family Residential and C-3, General Commercial District to C-2, Limited Commercial District; and Special Use Permit for a Planned Unit Development consisting of a grocery store and off-premises monument sign on adjacent parcel in a C-2, Limited Commercial District at 1701, 1719 West State Street, 117, 121, 123 North Independence Avenue, 120, 124, 128 North Central Avenue. Approval is subject to the following conditions:
 1. Meet all Building and Fire Codes.
 2. Submittal of Building Permits for Staff's review and approval.
 3. Submittal of a dumpster detail and rendering for Staff's review and approval.
 4. Must develop site in accordance with Exhibit E, the site and landscaping plan approved by Staff.
 5. Must develop building elevations in accordance with Exhibits E.
 6. Must obtain separate permits for signage and sign must be constructed with the submitted sign elevations and accordance with the Sign Ordinance.
 7. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact.

2. Chiarelli - Amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a drive-through in conjunction with a donut shop (fast food restaurant), (B) Variation to reduce the required parking from 101 parking spaces to 79 spaces; (C) Variation to reduce the required 20 feet front yard setback for a parking lot to 15 feet along East State Street; (D) Variation to reduce the required 20 feet wide frontage landscaping to 15 feet wide along East State Street; (E) Variation to reduce the required 20 feet front yard setback for a parking lot to 11.3 feet along Sundae Drive, (F) Variation to the required 20 feet wide frontage landscaping to 11.3 feet wide along Sundae Drive in a C-2, Limited Commercial Zoning District at 7340 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a revised civil plan to include 80 parking spaces and the reduced width of the parking lot (drive-through lane) along Sundae Drive to 12 feet.
4. Submittal of a revised landscape plan to include removal of landscaping within the right-of-way, additional landscaping added to the perimeter landscaping along East State Street and Sundae Drive, landscaping added to the proposed interior island south of the building and east of the drive-through, and plant species for Staff's review and approval.
5. Submittal of drainage calculations shall be submitted to determine if the existing detention pond has the adequate storm water storage or if additional storm water storage will be required for review and approval by the City Engineer.
6. Submittal of a dumpster detail and rendering for Staff's review and approval.
7. Submittal of a photometric plan with fixture details and fixture specifications for Staff's review and approval.
8. Submittal of building elevations for Staff review and approval.
9. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with plans approved by Staff.
10. Must develop site in accordance with new civil and landscaping plans approved by Staff.
11. Must develop building in accordance with elevations approved by Staff.
12. All conditions must be met prior to establishment of use.

Approval is based on the attached Findings of Fact.

3. Chiarelli - Amending Article 62 and Article 63 of the Zoning Ordinance for a (A) Zoning Map Amendment from County AG to R-1, Single-Family Residential Zoning District; and (B) Special Use Permit for a church; and (C) Variation to waive the required landscaping; and (D) Variation to waive the required parking standards in an R-1, Single-Family Residential Zoning District at 3844 Sandy Hollows Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Submittal of a building permit for Staff review and approval establishing the church.

3. A landscaping plan shall be submitted and shall be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff for any parking lot reconstruction.
4. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for Staff's review and approval.
5. Must obtain separate permits for signage and signage must be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff.

Approval is based on the attached Findings of Fact.

4. Chiarelli - Amending Article 63 of the Zoning Ordinance for a Special Use Permit to construct a 120' high cell tower in a C-2, Limited Commercial District at 3816 Broadway. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes.
 2. The fencing material must be vinyl.
 3. No more parking spaces may be eliminated and the lease area will be restricted to the area shown on the site plan.

Approval is based on the Findings of Fact.

5. Chiarelli - Amending Article 63 of the Zoning Ordinance for a Special Use Permit for a 130' monopole cellular tower in a C-3, General Commercial Zoning District at 3017 Wallin Avenue. Approval is subject to the following conditions:
 1. Approval is subject to the following conditions:
 2. Must meet all applicable building and fire codes.
 3. Submittal of a revised site plan showing tower 30' setback from the front property line.

Approval is based on the Findings of Facts.

6. Chiarelli - Amending Article 63 of the Zoning Ordinance for a Special Use Permit for a 150' monopole cellular tower in an I-1, Light Industrial Zoning District at 1507 Kishwaukee Street. Approval is subject to the following conditions:
 1. Submittal of a revised site plan to include a 100' setback from the right-of-way along the south alley, fencing to be changed from chain link to vinyl and for the landscaping to be incorporated along both alleys.
 2. Must meet all applicable building and fire codes.
 3. Must submit documentation of approval through FAA.

Approval is based on the Findings of Facts.

7. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 3929 Mulford Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
 2. Window display signage is limited to 35% of the window area.
 3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
 4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
 5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
 6. There shall be no sales of alcohol between 12:00 am and 7:00 am.
8. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
 2. Window display signage is limited to 35% of the window area.
 3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
 4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
 5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
 6. There shall be no sales of alcohol between 12:00 am and 7:00 am.
9. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 2323 Charles Street. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

10. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Abduraman Isai and Istref Sam Sabini / Menns Inc. d/b/a Tavern on Clark for a modification of an existing liquor license by the drink and outdoor seating area with a restaurant to extend hours of operation to 2:00 am in a C-3, General Commercial Zoning District at 755 Clark Drive. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The hours are limited to Sunday through Saturday 7:00 AM to 2:00 AM
3. Window display signage shall be limited to 35% of the window surface area.
4. There shall not be a cover charge, dance floor, or DJ's.
5. Live entertainment shall be limited to a single performer playing a single instrument.

11. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Samir R. Rathod/Veer Mahi Inc. d/b/a 320 Grocery for the sale of tobacco products with a grocery store in a C-3, General Commercial Zoning District at 320 North Court Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. Hours are limited to Monday-Saturday 8:00 AM to 8:00 PM, Sunday 9:00 AM to 7:00 PM.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the windows shall not be covered with bars or other devices that block the windows.
5. A dumpster enclosure must be constructed and the fenced must be repaired on the north side.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited.

12. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Junaid Ahmed for JR Gasoline, Inc. d/b/a Kilburn Shell for the sale of tobacco products in conjunction with a gas station in a C-3, Commercial General Zoning District at 913 Kilburn Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
 2. Compliance with all City of Rockford Liquor and Tobacco Codes.
 3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
 4. Submittal of a civil plan to include improvements to the parking lot and 12 parking spaces.
 5. Submittal of a revised landscape plan to include perimeter landscaping along Kilburn Avenue and Whitman Street, interior islands, open green space, removal of the raised timber planter that is replaced with a new concrete curbed island around the existing perimeter landscaping at the southwest corner of the property, and plant species for Staff review and approval.
 6. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for staff's review and approval.
 7. The hours of operation and days will be 5:00 A.M. to Midnight Monday through Sunday.
 8. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
 9. That the windows shall not be covered with bars or other devices that block the window.
 10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
 11. Window display signage is limited to 35% of window area.
13. Chiarelli - Amending Chapter 3, Section 3-56 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Cliffbreakers Riverside Resort, LLC d/b/a Cliffbreakers Riverside Resort for the sale of liquor by the drink in conjunction with a catering, restaurant, bar, banquet hall and hotel and the sale of liquor by the drink in conjunction with an outdoor seating area in a C-3, General Commercial Zoning District at 700 West Riverside Boulevard. Approval is subject to the following conditions:

1. Must meet all applicable liquor codes.
2. Must meet all applicable building and fire codes.
3. The proposed use shall not operate as a night club.
4. The proposed use shall not have a cover charge.
5. The sale of alcohol shall be limited to the submitted plans.
6. The hours of operation shall be in accordance with the liquor code.

IV. MOTION/RESOLUTIONS

A. PLANNING AND DEVELOPMENT

1. Durkee – Adoption of the Committee Policy Statement and Guideline Point System.

V. NEW BUSINESS (note: Ordinances may be read in under New Business and Rule

11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Chiarelli – Ordinance - APPROVE a Special Use Permit for a title loan business in a C-3, General Commercial Zoning District at 2542 South Alpine Road. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. No north wall sign
 3. Hours of operation limited to Monday through Friday 9:00 am – 7:00 pm and Saturday 10:00 am – 4:00 pm.

Approval is based on the Findings of Fact.

2. Beck – Ordinance – APPROVE for signature the Memorandum of Understanding with State of IL (South Main Street Two-Way Conversion). Funding for the project will come from Sales Tax. The Legal Director shall prepare the appropriate ordinance.
- * same action taken before
- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, September 15, 2014, 5:00 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 14-171 Right-of-Way Vacation of 9th Avenue from 24th Street, east to RPS Dist. 205 property as well as alley adjacent to said portion of 9th Avenue
2. C & R 14-172 Harrison Avenue Project/Acquisition of Parcels through Litigation: 21xx Harrison Avenue and 2210 Harrison Avenue
3. C & R 13-111 Public Safety Committee Discussion

FINANCE AND PERSONNEL COMMITTEE
Monday, September 15, 2014, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Starr Street Water Main Replacement to N-TRAK Group, of Loves Park, Illinois in the amount of \$188,088.50
 - B. Award of Bid: Main Street Gateway Arches to Sjostrom & Sons, Inc. in the amount of \$255,500.00
 - C. Rejection of Bid: 7th Street Lighting (2nd Avenue to 4th Avenue) recommending rejecting bids received and taking new bids immediately
 - D. Change Order: Broadway/Auburn Resurfacing 2014 to T.C.I. Concrete for an additional \$130,000 for a new not-to-exceed total of \$1,463,946.93
 - E. Resolution to take Bids: Station 9 Masonry Repairs, funding source is Grant funds from the Department of Commerce & Economic Opportunity
 - F. Vouchers in the amount of \$3,219,454.87
2. Sale of Surplus Equipment from the Downtown Sports Complex-Ingersoll Building Improvements to Neblock, Inc. for Five (5) AC Electric, Industrial Overhead Cranes in the amount of \$65,000.00
3. Reimbursement Resolution for 557 S. New Towne Drive

PLANNING AND DEVELOPMENT COMMITTEE
Monday, September 15, 2014, 5:30 p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA

1. Memorandum regarding the Approval of 2015 Community Services Block Grant Program Work Plan as required by the Illinois Department of Commerce and Economic Opportunity.
2. Memorandum from Seth Sommer regarding Proposed Residential Properties for Demolition – Property List #3.

LEGISLATIVE LOBBYING COMMITTEE
Monday, September 15, 2014, ____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

No Meeting Scheduled.